

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

In re:

James David Strader

Debtor

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CASE NO. 04-54701
CHAPTER SEVEN

MOTION FOR EXTENSION OF TIME TO OBJECT TO DISCHARGE OF DEBTOR

TO THE HONORABLE RONALD B. KING, U.S. BANKRUPTCY JUDGE:

COMES NOW, HELEN G. SCHWARTZ, Chapter 7 Trustee of Burks Physician Management, Inc. (hereinafter, Burks), case no. 04-54705 K, a jointly administered case during the pendency of the chapter 11 and a related case during the pendency of the chapter 7, and files this Motion for Extension of Time to Object to Discharge of Debtor pursuant to § 727 of the Bankruptcy Code, and would show the Court as follows:

1. Debtor James Strader is a principal of Burks Physician Management, Inc. and a signator of their bankruptcy schedules.

2. At the § 341 meeting of Burks Physician Management held on November 3, 2005, and December 15, 2005, and continued until January 12, 2006, the Chapter 7 Trustee for Burks Physician Management asked for documents from Burks and is yet to receive them. The Chapter 7 Trustee needs time to adequately review what is purported to be 18 boxes of documents and 2 computer hard drives.


3. The Chapter 7 Trustee for Burks Physician Management has cause to object to the discharge of James Strader in this case under § 727(a)(7) because he may have committed acts in the Burks case that may allow the Chapter 7 Trustee in Burks to object to his discharge.

4. The discharge date is January 1, 2006. The Trustee asks for a three month extension until April 1, 2006, to give her an opportunity to review documents when they are produced and make a determination of whether she should object to the discharge or not.

WHEREFORE, PREMISES CONSIDERED, the Trustee in Burks respectfully requests that the Court grant the Trustee an extension to object to discharge until April 1, 2006, that such an order not be a bar to the Burks Trustee's filing subsequent Motions for Extension of Time to Object To Discharge, and for such other and further relief in law and in equity as is just.


Respectfully submitted,

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By: /s/Helen G. Schwartz 
Helen G. Schwartz
Chapter 7 Trustee for Burks
State Bar No. 17862600

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion has been sent by first class mail to the parties listed below on this 30th day of December, 2005.

/s/Helen G. Schwartz 
Helen G. Schwartz

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HAND DELIVERED

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